





wishes to marry, but dreads the expense; hesitates, still admitting the necessity of an act he cannot bring his wavering mind to undertake; he calculates, doubts, hesitates, and doubts again—until he is brought to a standstill by the thought that he is a miser, and that the miser is a miser.

This species is more numerous than people imagine—it is a whole-hearted race, which may be easily known by the common condition, "I would marry if I could support a wife!"

The selfish bachelor is a proud, conceited, self-opinioned creature, more frequently indebted to the taste, genius, and indulgence of his tailors, than to nature and good breeding, for the pompous figure he cuts in the eyes of the fair. Possessed of a polished, perfumed, gay exterior, he thinks himself a match for any woman in Christendom. He leaves your honest yeoman's daughter, and cringes to my lady, or bows only to the grand-daughter of a peer, or an old baronet's heiress. The species is common both in the town and country now, where pride, pomp and fashion, have reared their gigantic heads, like the Virgin's towering fame, even to the clouds of folly, and quite metamorphosed the brains of popinjay dandies.

The selfish bachelor is an avicious grasping, hoarding creature, contriving to accumulate comforts upon himself, having no object save his own aggrandisement or gratification, nor any person to please save himself. Every word, look, action and thought, have one common centre of gravity in him; and that is, himself. This species is fearfully numerous, and throws a damp over that part of social society with which it comes in contact.

The ambitious bachelor is eager to push forward in the world; to amass riches; to procure honors, titles; to have the finest house and equipage; and then to have the finest woman in the country, if he knew where to find her; but "ambition overleaps itself, and too frequently falls on the other side." This species is common in large towns, where wealth and luxury have taken up their abode.

The last but most dangerous to society, is the precatinating bachelor, and differs from the hesitating bachelor in many respects. The one only hesitates whether he will marry; the other postpones the time. The one doubts of the propriety of the enterprise, the other delays the execution of it. "Procrastination is the thief of time," says the poet, and truly does the poor bachelor find it so. He is continually informing you of the preliminaries being chalked out, and that, in a few months, they will be traced by a matrimonial trip; but he is a self-deceiving boaster, for no sooner does the time approximate than he prolongs the happy day. The poor credulous braggart thus deludes himself with his expectations, and amuses others with his procrastinating folly, till at last the unhappy creature falls a victim to his own credulity; for old age comes upon him, and warns him by a bald head or thinning hair, that he is no longer in the prime of life; and he is then surprised to find that he has not reaped in harvest, the seed sown in winter. This species is both numerous and dangerous; and fair maidens should be particular in making the precatinating more desirous, as their best friend is, being "infirm of purpose."

To these might be added another, the envious bachelor, whose character is partially blended in the selfish one. When avarice—black and envious—touches the soul, the springs of humanity are dried up in their native source; the heart, which is filled by icy colds that surround it. If avarice, O miserable bachelor! does not infect the gloomy mansion of thy soul, farewell every hope of love, friendship and social intercourse with thy fellow mortals, thy mind is beset with the touch of cursed gold, which, like a foul and ugly witch, blasts every fine feeling of thy nature, and leaves thy breast a wilderness for the cloud of suspicion and the howling of despair; and thy heart, while it feels a secret joy in amassing wealth, which thou dost not care to enjoy, is poisoned by the vulture avarice, while it feeds upon it."

#### THE WHITE MOUNTAINS.

The White Mountains have become objects of curiosity and research to almost every traveller. In early times, the adventures had the pleasure of ascertaining and describing their altitude, soil and productions: such were Jocelyn and Neal, who, in 1623, explored their regions, and told many marvellous stories of precious stones concealed in their centre, and suspended over lakes, which would make the fortune of any one who obtained them. One more intellectual and disinterested age has abandoned the pursuit of seeking curbs among the hills of New Hampshire, and contents itself with hunting for some new species of lichen or rough fossil, that may afford material for a botanical or geological treatise. But now, a description of the White Mountains is "a thrice told tale," and their snow-crowned summits and silver cascades are their own narrators. He who explores them is contented to admire for himself. Nature, however, who loves the wild scenery of Nature, and health, activity, and enterprise, cannot fail of reaping their reward in this excursion. To the mere lounge it presents but little; there are no bowing-greens in the neighbourhood, and a curio and pair are not to be had for love or money. The fair lady who cannot be tempted to leave her luxurious carriage, will return fatigued and disappointed; for there are few pleasures to be procured without labour. This remark applies particularly to travellers. The summit of the Katskill is a weary ascent: the finest view of the Falls of Niagara, below Table Rock, is a still more weary descent. It is not on the "dry, smooth-shaven green" that we are to look for fine prospects, but among mountains and valleys, that borrow some of their charms from the difficulty of attainment. There are pleasures of imagination, however, connected with almost every remarkable spot, which the indolent as well as the active may enjoy. For my own part, I have but little satisfaction in travelling over a country with a rapidity that puts one out of breath. I love to stop, and linger, and feel that, so doing, I am busy in the object of my excursion. Perhaps it was this idea that excited an interest in the following little tradition, which has been immortalized by Mrs. Hemans.

A few miles below the Notch of the White Mountains, now celebrated by the painter and the poet, in the bosom of the valley through which the Saco winds, rises a little eminence, which was pointed out to me as Nancy's Hill. Nancy was a celebrated hunter; the storms of winter, terrible as they were amid the desert of mountains, were his home, and the tempests of the sultry summer, equally terrible and more appalling, were alike indifferent to him. In one of his numerous excursions, he did more for the benefit of the country than all the philosophers before or since his time—for he first explored the wonderful passage, which opened an easy intercourse between the inhabitants east and west of the Gap. Yet he wrote no book on the subject, and never claimed the honour of the discovery. Many people thought he loved hunting merely for the hardships he encountered;

for he never grew rich, and often gave away what he had gained by weeks of toil; but he had only himself to provide for, and without a wife or children, and with no other source of pecuniary rest, he engaged his attention, he cared little whether he spent the night on the highest peak of Mount Washington, or in one of the valleys, seven or eight thousand feet below it. There was nobody to be anxious about him, or to count the long days which he was away, and he often boasted that his home was every where.

But this could not last always—for Nancy was yet but a stripling, and it was not surprising that among his wanderings he should find a girl pretty enough to make him think it well for a hunter to have a home. He told strange stories to Nancy (for that was her name) of what dreadful perils he had scaled, what change he had leaped, what fierce and blood-thirsty animals he had encountered, and she listened till, like Desdemona, she lost her heart being, and through only a domestic, had a heart as tender, and a complexion as fair, as any born gentleman.

It almost overwhelmed her to think of the hardships poor Nancy endured, while she enjoyed the comforts of an old-fashioned kitchen corner, with a forest of logs blazing in the chimney, and the privilege of sitting at the table with the conscientious Parson family, who would have thought it a sin to make a difference on the earth, where the Supreme Being made none in Heaven. It is not wonderful that when Nancy proposed marrying Nancy, and promised to run no more "hair-breadth escapes," she should listen to him and consent to become his lawful wife. But it was necessary that he should make another hunting excursion before they were married, for he had to make a journey through his favourite gap of the mountains, and bring back subsistence for the winter. It was in vain that Nancy assured him that she should wait nothing—Nancy knew better, and after many a kind embrace set off, promising to be back in a very short time. Nancy's idea of time and his did not agree—weeks passed away, and the winter came on with an unusual threatening aspect—at length she heard, accidentally, that the hunter was about forty miles distant. The strange purpose entered her head to go to him—it was wonderful that such a timid, gentle being should have thought of such a thing—but she knew that next to herself, Nancy loved the chase, and she feared that perhaps he might content himself with hunting bears and wolves all winter. The family tried hard to dissuade her from the wild scheme—but she determined to go—and as poor Nancy belonged to nobody, nobody had a right to control her. She wrapped herself in her cloak, (one of the celebrated red riding hoods) and set out alone for the mountains.

The snow was already deep, and there was not a house for many a long mile. Storm after storm came on—the family which she had lived became very anxious about her; they said "it was a distraction in her to go, it was tempting of Providence, and she must take the consequences." In the morning, the hunter, successful, and began his journey homeward laden with riches. It was just one week after Nancy's departure that he reached the little hill before mentioned. It was late at night; the whole earth was covered with crusted snow—you might walk on the hill tops without making any impression. The trees were hung with icicles, and glittered in the moonlight like diamonds. Nancy ascended the little hill, when she came into the valley through which the Saco runs;—he loved such scenes and such evenings; he thought of Nancy, and wished she was there—he knew he could wrap her in his large moose-skin, and keep her warm. He was not apt to be imaginative, and yet all at once he thought he perceived a misty standing opposite to him and leaning her head against a tree. He strained his eyes back to look at the object. "Moonlight," said he, "makes strange work of things—my head is always full of her," and he looked another way—but when he turned she still stood there. He approached nearer; the moon never shone brighter, and not an object interpreted its beams—they fell upon the pale, unearthly countenance of the maiden—her eyes were closed as if in sleep—he took her hand; it was cold and hard, like marble. Weary and benumbed, she had reclined against the tree—it was sweet to rest there and dream of her lover. She slept, and awoke no more! Her form was slightly inclined forward, the glittering branches bent over her, and her winding sheet was a robe of ice!

Such is the tradition of Nancy's Hill.



#### PHILADELPHIA:

SATURDAY EVENING, JAN. 10, 1829.

In publishing the address written by Dr. M'Henry, for the Walnut street theatre, we omitted, inadvertently, to mention that a silver cup was awarded to the author. Dr. M'Henry's lines, in our judgment, may be advantageously compared with any lately produced on similar occasions.

The two houses of our State Legislature meet on Tuesday next, to choose a Treasurer. The Harrisburg Chronicle says that ALEXANDER MAHON has been nominated in the Senate, and the editors have heard no other person mentioned.

The NATIONAL INTELLIGENCER states that the appointment of WILLIAM CLARK, as Treasurer of the UNITED STATES, has been confirmed by the Senate, by a vote nearly or quite unanimous.

There is now exhibited, temporarily, at the ATHENEUM, a portrait, in black crayons, of BISHOP WHITE, the venerable President of the Pennsylvania Institution for the DEAF and DUMB—copied from an oil painting of SELL'S, by MASTER ALBERT NEWSAM, himself Deaf and Dumb. It is highly admired for its intrinsic excellence as a work of art; but admiration is increased a hundred fold by the consideration that this youthful artist was saved a few years since, as we are told, from an impostor, who, himself affecting to be utterly incapable of speech and hearing, had laid hold of this unfortunate child, and retained possession and control of him for a considerable time. He represented the lad to be his brother; and, making him his companion and the instrument of deception, successfully levied contributions on the benevolent, throughout the country.

ALBERT was found with him in this city, and was rescued from the custody of his self-made keeper, by the charitable interference of a few individuals. He was one

of the first pupils of the Pennsylvania Institution, and, having passed through the different stages of instruction with great credit, was placed as an apprentice under the kind superintendence of Captain CHILDS, one of the most distinguished of our engravers. With this gentleman he is said to be making satisfactory progress.

How unspeakable the delight of the benevolent persons who took this youth by the hand! How inestimable the benefit conferred on him—and on society too—by that admirable institution! Well may the former, and the friends and supporters of the latter, feel a conscious satisfaction in the recollection of their services in his behalf.

We are told that ALBERT showed, when first known here, an extraordinary talent for the delineation of natural objects. No satisfactory information could at first be obtained of the place of his birth; and he could only describe it by a diagram. This was accidentally shown to a gentleman from KENTUCKY, who instantly discovered in it so accurate a delineation of one of the principal towns in that State, that he did not hesitate to name it as the one intended. Enquiry confirmed the supposition; the minute correctness of the diagram was established; and the birth place of the poor boy, with much of his early history, was ascertained.

The drawing has been liberally presented to the Institution by Captain CHILDS. It will be valued hereafter, as a faithful portrait of its first President and venerable friend and patron,—and also as a specimen of the attainments of one of its earliest pupils. The exhibition, therefore, will be an enduring and honourable testimonial to both, and to all who have been zealous in the support and management of the Institution.

Our LITERARY friends will be surprised to learn that even in a village of VERMONT, a fire-hook is regarded as a novelty. The BURLINGTON PRESS gives the following under the title of "progress of improvement in our village—"

"The citizens of Burlington were very much gratified on Wednesday last by an exhibition which furnished the most satisfactory testimony of the spirit of improvement and enterprise by which this village is distinguished. The time and place at which this exhibition was made were eminently calculated to convince the most sceptical of the importance of the improvement to which we allude. It was at the fire on the morning of the 30th ult. The building on fire was already beginning to fall to the imminent exposure of the buildings around, and our citizens seizing boards and bean poles and pitchforks, were gallantly attempting to direct the fall of the timbers in a course from the other buildings, when they found their weapons rather too short to encounter so hot an enemy. At this eventful juncture, some men arrived bringing an entire new weapon of attack, which was nothing less than a Fire Hook. The novel appearance of this new instrument called forth a murmur of admiration and astonishment which we shall not attempt to describe. It was looked upon by some as a thing of suspicious intent, and at best a somewhat dangerous innovation, which had better be let alone till its utility had been tested by others. Some theorists and lovers of new experiments, pronounced it a most extraordinary invention, and advised the maker to keep it concealed till he could get it patented, as it would unquestionably supersede the necessity of fire-engines, ladders, buckets, and even water! This discovery will, we trust, allay all the fears of our citizens about fire, and forever silence the silly clamours of those who contend that any preparation in any respect for resisting this harmless element is necessary. Burlington has got one Fire Hook, therefore let its citizens sleep on, undisturbed."

The first article in the January number of LITTLE'S MUSEUM is an interesting account of the present state of Tripoli, taken from the LONDON MAGAZINE. The facts are derived from a memoir, by the SWEDEN consul at Tripoli, M. GRABERG DE HENSO, lately published in an ITALIAN journal. According to detailed tables given by M. GRABERG, the annual exports of the principal harbours—TRIPOLI, BENGAZI, and DERNA—amount to 449,000 dollars; the imports to 524,790. The trade is principally carried on in FRENCH and ITALIAN vessels; the natives possessing only coasters of thirty tons or less. The Bey and his ministers own four or five briggs and schooners. The profit on European goods is seldom less than sixty per cent; but months, and even years, often elapse before payment. Purchasers seldom pay cash, and the government never. The only manufactures are of coarse carpets, barancca or cloaks, and prepared leather or morocco. Their other articles of exportation are wool, hides, oil, butter, barley, dates, saffron, wax and madder-root. Cattle and horses are also exported, the former chiefly to MALTA. The manufacture of potash, and the exportation of salt, are monopolized by the Bey. There is enough of the latter to supply all Europe. From the negligence of the natives, every article of produce has deteriorated, and the demand lessened, though prices are very low.

The exchange trade with the interior is thus described:

The caravans proceed from Tripoli to Marzouk, the capital of the tributary kingdom of Fezzan, where a great fair is held in the month of December and January. Then the goods are exchanged for those brought by the caravans from Bornou, Sakkatou, Hones, Keshou, and

Timbuctoo. The track of the caravans to the last mentioned place passes through Ghadames, which is another state tributary to Tripoli, and governed by three sheiks. The inhabitants of Ghadames are supposed to be an aboriginal race; they speak a peculiar language which they call A'Dema, and are quite distinct from the Arabs, who surround them, and with whom they are generally at war.

The merchants from Fezzan and Ghadames arrive in the month of February or March at Tripoli, where they take on from the goods they want for the interior, whence they return after a twelvemonth or more, and pay punctually in gold dust and other articles. The profits on this exchange trade are enormous. The goods most in request in the interior of Africa are swords, pistols and guns, Venetian glass beads, of which an incredible quantity is imported, coarse French and Italian cloths, silks, earthenware, yellow copper from Levant, printed cottons, calicoes and striped muslins, writing paper from Genoa and Leghorn, coral, looking-glasses, razors, perfumes, &c. The returns are gold dust, chiefly from Timbuctoo, to the amount of fifteen hundred ounces annually, besides the tribute from Fezzan, which consists of four hundred and fifty ounces, ostrich feathers, ivory, sena, red alum, fine cotton and dates from Fezzan, nitre, and lastly black slaves. About two thousand of these poor creatures, caught by the Mahomedans of the interior in their incursions, or marauding expeditions, are yearly brought to Tripoli, whence the greater part are exported to Egypt and Turkey, a few only remaining at Tripoli for the service of the inhabitants, and these are generally treated with humanity. The Christian residents at Tripoli cannot purchase or hire slaves. The following are the prices of the black slaves in the market of Tripoli:—A grown up man, from 90 to 100 dollars; a boy from 10 to 18 years, 70 to 90; a child below ten years, from 40 to 50; a grown up woman, from 120 to 150 dollars, according to her beauty;—a young girl from 90 to 100;—sumachs, from 550 to 700 dollars each.

M. GRABERG finds some excuse for the faithlessness imputed to the people of BAHARIY, in the character of the Europeans by whom they have been visited. He says—

Another branch of the inland trade of Africa is in the hands of the people of Angola, a town of the regency of Tripoli. They have, within a few years, established a direct intercourse with the states of Bornou and Bagherm, without passing through Tripoli or Fezzan. The goods that are thus brought to Angola, are forwarded direct to Egypt, through the Libyan desert.

The great caravan of pilgrims and merchants from Morocco to Mekka, which used to pass yearly through Tripoli, seems to be now discontinued. The only one Mr. Graberg has seen was that of 1824, which consisted of about three thousand men, a few hundred women and children, and two thousand camels, and was the command of an Emir. It came from the city of Fez, and passing through the kingdoms of Algiers and Tunis, arrived under the walls of Tripoli, where it halted about a month, and then pursued its way through the desert of Bura to Alexandria, Cairo, and Mekka. Most of the pilgrims now proceed by sea to Alexandria, and board Christian vessels. The Bey of Tripoli does not allow his subjects to perform this pilgrimage.

In the city of Tripoli there are two bars, well built, and kept in very good order. Out of the land-gate a market is kept every Tuesday; and another five miles farther, also once a week. In the spring, about April, these markets are most abundantly supplied with cattle, poultry, game, and vegetables of all sorts. Towards June fruit begins to be plentiful. The sea abounds with fish; most of the fishermen are Maltese. From the mountains of Gharrion and Tarhoun are brought quantities of hares, gazelles, red partridges, pigeons and quails, which are sold at a very low price; fowls, which are excellent, are exported to the island of Malta.

The people of TRIPOLI, though very imperfectly civilized, are said to be far superior in their social condition to those of TUNIS and ALGERIA. Morocco is stigmatized above all, as the seat of an absolute and ferocious despotism, with financial, ignorant, and miserable subjects. This superiority, in the TRIPOLITANS, is attributed, in no small degree, to the influence gained and exercised by the ENGLISH Consul General, Mr. WARRINGTON, during his long residence among them.

The adventurers from Italy, France, and Spain who land upon that shore, are often men of dissolute character, who escape from the punishment or dishonour which threatens them in their native land. Provided with a passport, often surreptitiously obtained, and with a few packs of cards and dice, they contrive to abuse the simplicity of the Moors; and with the money thus acquired, some of them open wine-shops and places of debauch, where the lower classes indulge in the forbidden use of liquors, which they carry to the excess of intoxication. Others hawk about immoral prints, &c. to the scandal even of the barbarians. In a little work, published in Italy some years ago, by a person well acquainted with Barbary, it is observed that the depraved conduct of many Europeans has largely added to the unfavourable opinion which Mussulmans are taught by early education to entertain of Christians; and instances are given of such conduct. The facility with which many bad Christians embrace Islamism, often to escape the punishment of their crimes, is an additional proof of this.

A letter to the editors of the BALTIMORE AMERICAN, dated WASHINGTON, January 6, states that the Committee of Ways and Means have decided to report a bill "to provide for refunding to the importers, the additional duties levied by the late Tariff, on all merchandise ordered previous to its passage."

The Ball at NEW YORK, in celebration of the Battle of New Orleans, is said, in the Statesman, to have surpassed all former attempts of the same kind, except the LA FAYETTE ball at Castle Garden. The company amounted to about fifteen hundred, the majority ladies, distinguished as well for beauty as for excellent taste in dress.

The back scene represented the battle. The rest of the house—the Bowery theatre, was appropriately ornamented.

#### ITEMS.

We are informed, on the best authority, that little Miss Lane is nine years old this day.

More Variety.—On Wednesday we had a rapid thaw—on Thursday, constant rain, which cleared the streets of snow—a sprinkling of snow yesterday morning, with a gale from north-west during the day and night—every thing hard frozen this morning, with a bitter north-east. Thermometer, at noon, 21.

Dr. Barrett, of Trinity College, Dublin, translated the first sentence of Caesar's Commentaries, "All Gaul is quartered into three halves."

nah, on the 29th ult. Cooper was expected shortly.

The Senate of Ohio lately directed the Committee on the Judiciary to inquire into the expediency of allowing Writ of Error in criminal cases.

In the Senate of the United States, on Wednesday, the petition of the umbrella makers of Philadelphia, for a drawback on imported silks used in the manufacture of umbrellas, was referred to the Committee on Finance.

The real Bologna Sausages are made of the flesh of Asses. Those made in this country are chiefly of beef.

The Pacha of Egypt having last year offered a reward of 17 piastres per measure for the eggs of grasshoppers, to prevent the ravages of those insects, it is stated that in October last 40 caravans of 70 measures each had been sent to Acre, worth 46,000 piastres, or £40,000.

The number of deaths in Boston, for the year ending Dec. 31, 1828, according to the returns made at the Health Office, was 1222. In the catalogue of diseases, we recognize 259 by pulmonary consumption; 9 by accidents; 35 by dropsy of the brain; 173 by unknown diseases; 44 of old age; 74 still born; suicide 9; and shocking to relate, thirty-four by intemperance.

The invested funds of the state of Delaware, amount to \$163,773 40.

The funds of the Massachusetts Mechanic Association, at Boston, amount to about fourteen thousand dollars in bank stock. A school for apprentices is maintained, during the winter at the expense of the Association.

Levinus Monson, Esq. has resigned the office of judge of Delaware county courts, on account of its emolument proving an insufficient compensation for the loss of professional business.

A lad was last week rescued from imminent peril of drowning, in Charleston, S. C. by Mr. Charles Kershaw, who leaped into the dock, and at great hazard, bore the little sufferer to the shore.

Shad were exposed for sale in the Savannah market in the middle of December, and the Arabian Jesamine threw out a fresh bud—both which circumstances are unusual, and evidences of extraordinary mildness in the weather.

The Legislature of Georgia has passed 160 Acts, but it is said that the governor will put his veto on a few of them. He did so last year.

Mr. Blodget has established a vineyard in the vicinity of Raleigh, N. C. He has 52 sorts of grape vines.

A monthly publication, bearing the title of the "United States Law Intelligencer and Review," has lately been commenced in Providence, Rhode-Island. It is edited by Joseph K. Angell, Esq. and aims to notice such cases decided hereafter in the American or English Courts, as may be of sufficient importance to interest the practical lawyer; with notices of new legal publications &c. &c.

A resolution has been introduced into the Legislature of North Carolina, directing the Board of Internal Improvement to call upon the Yadkin Navigation Company, and inquire civilly what they did with \$25,000 the state gave them.

An Ewe belonging to General Somebody, in Scotland, has produced a female lamb with two heads and eight legs. Mr. Sandy McRogerson, an Edinburgh wit, calls this a double-ewe.—(W.)

An anti-masonic Convention is to be held at Hartford, for the state of Connecticut, in February. Each town to send two delegates.

John Gregor, a Scotchman, and a shoemaker, about 35 years old, was taken up in the street in Burlington, Vt. on the morning of the 31st ult. and died in a short time. He had been seen late the preceding evening in a state of intoxication.

The Legislature of Kentucky have a bill before them which has already passed one branch, incorporating a company to erect a bridge across the Ohio, at Louisville.

The Legislature of the state of Delaware, commenced its session, at Dover, on Monday last.

The Legislature of the state of Maine was to assemble on the 7th inst.

#### CONGRESS.

From the National Journal of Friday.

In the Senate, yesterday, the bill to compensate sundry citizens of Arkansas, for losses sustained from Indian depredations, was ordered to a third reading. After a sitting of half an hour, the Senate adjourned until Monday.

The discussion on Mr. MINER's resolution relative to slavery, and the treatment of slaves, in the District of Columbia, was yesterday resumed in the House of Representatives. Mr. WEXLE closed his remarks, when Mr. WILDE called for the previous question. Mr. ALEXANDER then moved to lay the preamble and resolution on the table, on which question the yeas and noes being taken, there appeared—Yeas 66, Noes 107. The motion being decided in the negative, the discussion was arrested, in consequence of the expiration of the hour.

The House then concurred in certain amendments (with a slight modification) made by the Senate in a bill to authorize the citizens of Arkansas and Florida to elect certain officers. The other morning business having been disposed of, the House proceeded to the consideration of the bill concerning the occupation of the Oregon river. An amendment, moved by Mr. FLOYD, to direct that one of the forts should be built within the region of tide water, was adopted. Mr. TAYLOR renewed his motion to amend, on which the yeas and noes were taken, when it was decided in the negative—Yeas 72, Noes 84. No other question was taken before the House adjourned.

PROVIDENCE, R. I. From a statement in the Literary Cadet, it appears that the number of arrivals at Providence, from "foreign, and distant domestic ports," during the year ending Dec. 31st, 1828, amounted 191—Clearances, 173. Coasters entered during the same period, 720—Do. cleared, 551. Coasters arrived, not cleared, 3,137. Domestic Importations—Cotton, 41,556 bales; Flour, 31,113 bbls.; Corn, 425,339 bushels; Rye, 30,473 bushels.

On Monday morning last, about 3 o'clock, in No. 2, of the Merrimack Manufacturing Company's buildings, Lowell, Mass. and in three hours, entirely destroyed that large and valuable cotton factory, five stories high, filled with machinery, and in full operation. The property was owned in Boston, and is said not to have been insured. The loss is upwards of \$100,000. About 400 operatives are by this calamity, thrown out of employ. The building destroyed was of brick, four stories high, and 140 feet long. The loss is estimated at from \$100,000 to 130,000. The fire is supposed to have caught near the furnace in the basement story.

#### Important Insurance Question.

IN CHANCERY—NEW YORK.

The Phoenix Fire Insurance Company of New York, appellants; versus Daniel Guinness, respondent.

Appeal from the Equity Court, led by C. C. The complaint submitted the clerk's mistakes in the transcript of the proceedings in this case, and the clerk took down a memorandum of the insurance required, which was signed by the complainant and left with the defendants, in the words and figures following:—On the 1st of January, 1828, a two story and a half frame grist mill, situated in the town of Haverstraw, on the Minerva creek, in Rockland county—one run of stones, 3 bolts, 1 spare runner, with privilege to use a mill in second story. Cost \$1750—insurance \$1200.—New York, 23d September, 1828.

"On a two story and a half frame grist mill, situated in the town of Haverstraw, on the Minerva creek, Rockland county, privileged as a grist mill only." The bill was afterwards amended, and the defendants insisted that the policy was on the mill house only, and not on the mill or machinery. The complainant applied to the court to correct the policy according to the written memorandum, which they refused to do; whereupon the complainant moved on the bill and answer, and the Circuit Judge decreed that the policy should be corrected agreeably to the written memorandum with costs. The appeal was submitted to the Chancellor on or about the 1st of October, 1828.

The Chancellor—It is well settled that a Court of Equity has jurisdiction to correct mistakes in policies of insurance, as well as in all other written instruments. (Phil. on Ins. 18.) But the evidence of such mistake, and that both parties understood the contract in the manner in which it is sought to be reformed, should be clear and satisfactory. In policies of insurance, the label or written memorandum from which the policy is issued, is always considered of great importance in determining the nature of the risk, and the intention of the parties. This is Mat. v. the London Insurance Company, (1 Phil. 317.) Lord Hale held that a policy ought to be rectified, agreeable to the label, and in the cases which he directed in that case, the label was treated as the real contract between the parties. In this case there is a substantial discrepancy between the policy and the written memorandum on which it was founded; the one is an insurance upon a grist mill, and the other is only upon the mill house, or the mere covering of the substantial parts of the mill. It is to be presumed that the insurers are acquainted with the nature of the property which they undertake to insure. If, on the other hand, the defendants must have known that no owner of a grist mill would ever think of insuring the mill house only, leaving the mill, or the substantial parts of the mill, exposed to certain destruction, if the mill house or covering was destroyed. The difference of the description from the written memorandum, must therefore have been clearly a mistake of the clerk in filling up the policy, or an intentional fraud upon the insured, and the latter is certainly not to be presumed. Although the complainant relied on the policy before he brought the bill, it is hardly to be presumed that a claimant could be so negligent as to neglect to have the policy corrected, or to neglect to have the law of insurance, which would have noticed or detected the difference which was produced by the change of phraseology in the policy from the label and intelligible language of the memorandum, which was probably taken down from the lips of the insured. I think the decree of the Circuit Court, reformatory this policy agreeable to the written memorandum, was correct, and the same must be affirmed with costs.

Extract of a letter from an officer of the U. S. schr. Dolphin, to his friend in this city.

"I saw, Alton, 14, 1828.

"We left the Brandywine anchor at Calles when we sailed (16th October), the ship was not long returned from Valparaiso. Our passage was uneventful, and after remaining a few days, proceeded towards Guayaquil. The weather was, for some time past, somewhat disagreeable, the Peruvian squall was, on several occasions, upon the island, and the latter is certainly not to be presumed. Although the complainant relied on the policy before he brought the bill, it is hardly to be presumed that a claimant could be so negligent as to neglect to have the policy corrected, or to neglect to have the law of insurance, which would have noticed or detected the difference which was produced by the change of phraseology in the policy from the label and intelligible language of the memorandum, which was probably taken down from the lips of the insured. I think the decree of the Circuit Court, reformatory this policy agreeable to the written memorandum, was correct, and the same must be affirmed with costs.

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Nova Scotia and New Brunswick is a land of pure flowing waters, majestic forests, and beautiful geological outlines. Good judges suppose that these colonies, instead of needing to borrow, have a enough to sell.







